

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Habener, Joel F.

Appl. No. 09/635,679

Filed: August 10, 2000

For: **Insulinotropic Hormone and Uses
Thereof (as amended)**

Confirmation No. 6862

Art Unit: 1645

Examiner: Minnifield, Nita M.

Atty. Docket: 0609.1090009/MAC/ALS

Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This pleading provides information that may be considered material to the examination of the above captioned application, and is provided in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The Examiner's attention is directed to U.S. Patents No. 5,118,666 and 5,614,492, both of which are relied upon by applicant for the benefit under 35 U.S.C. § 120. These patents were previously cited as documents AA1 and AF1 in an Information Disclosure Statement (IDS) filed on March 19, 2001. The Examiner's attention is also directed to U.S. Patent No. 5,120,712, which was previously cited as document AB1 in the March 19, 2001 IDS.

Applicant has amended the inventorship of U.S. Patents No. 5,118,666; 5,614,492 and 5,120,712 to include Svetlana Mojsov. However, Applicant believes that the inventorship of the above captioned application as currently filed is currently correct and does not need to be amended.

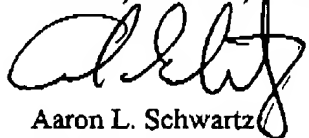
Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(c)(2), and the fee set forth in 37 C.F.R. § 1.17(p) is provided herewith. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: February 19, 2004

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